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April 6, 2018

Hon. Marcy S. Friedman
Justice
Supreme Court, New York County
60 Centre Street, Courtroom 248
New York, NY 10007

VIA E-FILING

Re: In re application of U.S. Bank Nat'l Assoc. et al., Index No. 651625/2018

Dear Justice Friedman:

I am the attorney of record for the Institutional Investors,¹ who are investors in the trusts that are the subject of the above proceeding, which Wells Fargo and other banks are seeking to commence by proposed Order to Show Cause (we received a copy thereof last night at about 7 p.m.). Attached is a copy of my Notice of Appearance, with proof of e-filing.

My clients oppose in all respects the signing of the Order to Show Cause being presented by petitioners, including without limitation the interim relief sought. We have been advised by counsel for Wells Fargo that the Order to Show Cause has not yet been signed and that the Court has set April 11 at 10 a.m. to hear oral argument regarding same.

I am writing to inform Your Honor that I will be present on that date -- together with my co-counsel from the Texas firm of Gibbs & Bruns, LLP, national counsel for the Institutional Investors -- to present argument in opposition. If for any reason the argument schedule changes, I would be grateful if my office is notified thereof. And if prior to April 11 the Court wishes to talk to counsel regarding the Order to Show Cause, I respectfully ask to be allowed to participate in that call (or in person conference, as the case may be).

Thank you for your attention to this request.

Respectfully,



Kenneth E. Warner

KEW:ak

Enc.

cc: All counsel of record (via e-filing)

¹ The 13 Institutional Investors are: AEGON USA Investment Management, LLC, Blackrock Financial Management, Inc., Cascade Investment, L.L.C., The Federal Home Loan Bank of Atlanta, Goldman Sachs Asset Management, L.P., Invesco Advisers, Inc., Kore Advisors, L.P., The Metropolitan Life Insurance Company, Pacific Investment Management, LLC, The TCW Group, Inc., Thrivent Financial for Lutherans, Voya Investment Management (formerly known as ING Investment Management) and Western Asset Management Company.

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK

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In the matter of the application of

Index No. 651625/2018

U.S. BANK NATIONAL ASSOCIATION, WELLS
FARGO BANK, NATIONAL ASSOCIATION
WILMINGTON TRUST, NATIONAL
ASSOCIATION, WILMINGTON TRUST
COMPANY, AND CITIBANK, N.A. (as Trustees,
Indenture Trustees, Securities Administrators, Paying
Agents, and/or Calculation Agents of Certain
Residential Mortgage-Backed Securitization Trusts),

NOTICE OF APPEARANCE

Petitioners,

For Judicial Instructions under CPLR Article 77 on
the Administration and Distribution of a Settlement
Payment.

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PLEASE TAKE NOTICE that Kenneth E. Warner of Warner Partners, P.C., hereby enters his appearance in this action as counsel for the following Institutional Investors: AEGON USA Investment Management, LLC, Blackrock Financial Management, Inc., Cascade Investment, L.L.C., The Federal Home Loan Bank of Atlanta, Goldman Sachs Asset Management, L.P., Invesco Advisers, Inc., Kore Advisors, L.P., The Metropolitan Life Insurance Company, Pacific Investment Management, LLC, The TCW Group, Inc., Thrivent Financial for Lutherans, Voya Investment Management (formerly known as ING Investment Management), and Western Asset Management Company and requests that all pleadings and papers in this action be served upon the undersigned.

Dated: New York, New York
April 6, 2018

WARNER PARTNERS, P.C.

By: 

Kenneth E. Warner

950 Third Avenue, 32nd Floor
New York, New York 10022
(212) 593-8000

Attorneys for Institutional Investors: AEGON USA Investment Management, LLC, Blackrock Financial Management, Inc., Cascade Investment, L.L.C., The Federal Home Loan Bank of Atlanta, Goldman Sachs Asset Management, L.P., Invesco Advisers, Inc., Kore Advisors, L.P., The Metropolitan Life Insurance Company, Pacific Investment Management, LLC, The TCW Group, Inc., Thrivent Financial for Lutherans, Voya Investment Management (formerly known as ING Investment Management), and Western Asset Management Company



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651625/2018

U.S. Bank National Association et al - v. - XXXX

Assigned Judge: None Recorded

Documents Received on 04/06/2018 02:43 PM

Doc #	Document Type	Motion #
17	NOTICE OF APPEARANCE (POST RJ)	
	Does not contain an SSN or CPI as defined in 202.5(e) or 206.5(e)	

Filing User

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NEWMAN, ZACHARY GREG - znewman@hahnhausen.com

WARNER, KENNETH E. - kwarner@warnerpartnerslaw.com

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as a notification page firmly affixed thereto a copy of this Confirmation Notice.**

Hon. Milton A. Tingling, New York County Clerk and Clerk of the Supreme Court

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